

### REMARKS/ARGUMENTS

Favorable reconsideration in view of the above amendments and following remarks is respectfully requested.

Claims 1 and 3-14 are currently pending in this application. By this Amendment, Claims 1 and 6-12 are amended; and no claims are canceled or added herewith. It is respectfully submitted that no new matter is added by this Amendment.

In the outstanding Office Action, Claims 1 and 3-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,047,376 to Hosoe in view of U.S. Patent No. 6,064,635 to Machiguchi and further in view of Official Notice.

With respect to the rejection of the claims under 35 U.S.C. § 103, that rejection is respectfully traversed. In particular, Applicant submits that the applied art does not teach or suggest that at least part of data downloaded from the server includes a list of selectable content data selected by the server based on the type of medium identified by the server, and the content data are divided into two types, a first of the two types includes content data to which some playback limitation in regard to the number of times of playback is applied, a second of the two types includes content data to which no playback limitation is applied, as similarly recited in the independent claims.

Instead, Hosoe discusses that on the side of the server 1, identification information transmitted, is received by the access authentication means 17, activated and then compared to identification information already stored. Based on the comparison, the client 2 is given or denied access. As discussed with respect to Figs. 3 and 5-7, the server receives a connection request to connect a WWW server 38 at S5 and receives the memory medium identification number N sent from the authentication client 34 at S6. In response, the authentication server 37 references an ID key table 31 to check whether the memory medium ID number N has been registered beforehand at S7. If the number is known to have been registered, based on

the stored validity period information, it is detected whether it is within its validity period at S8. If it is proved to be within the validity period, access permission authentication is sent via the WWW server 38 to the corresponding authentication client 34 at S9.

As shown in Fig. 6, one server can provide music information service, communication education service, and version upgrade service. Each unit of memory medium may store each medium identification number, each of which may be selected by the user for his service. The server holds such a table shown in FIG. 7 to identify the service and the validity period and then provide necessary service.

Machiguchi merely discusses that the type information of the disk is concerned with the writing function of the disk. For example, whether the information indicates a read-only disk such as a CD-ROM, a write-only disk such as CD-R (or CD-WO), and an erasable disk such as CD-E (or CD-RW).

Accordingly, the features of the claimed invention are not taught by the applied art. Again, the independent claims similarly recite in part that at least part of data downloaded from the server includes a list of selectable content data selected by the server based on the type of medium identified by the server, and the content data are divided into two types, a first of the two types includes content data to which some playback limitation is applied, a second of the two types includes content data to which no playback limitation is applied. Instead, Hosoe merely discusses the length of the term of use for the user. That is, how long the user's identification will permit access to the server. The validity period discussed with respect to Figs. 5 and 7 does not relate to the content data itself.

In accordance with the features of the claimed invention, and as disclosed as an example on pages 13-14, the content server receives the medium ID and identifies the type of the medium on which the medium ID is stored. Then, the content server transmits a list of content data selected in accordance with the identified type of the medium and is divided into

two groups related to the playback limitation of the content data. Accordingly, the user can select favorable content data from among the displayed list and issue a request for downloading the favorable content data.

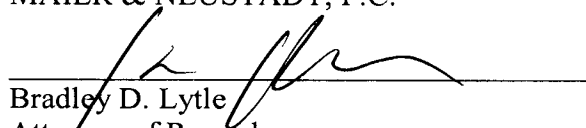
The features of the claimed invention discussed above are not taught by Hosoe or Machiguchi either alone or in combination. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103 is respectfully requested.

Consequently, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)  
KMM/rac

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Kevin M. McKinley  
Registration No. 43,794